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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/673,381	10/16/2000	Hiroshi Omura	KP-8931	6863

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EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/673,381

Applicant(s)

OMURA ET AL.

Examiner

Yogesh K Aggarwal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12, 21 and 22 is/are allowed.
- 6) ☒ Claim(s) 13-17, 19-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments, see Amendment pp 12-17, filed 03/31/2004, with respect to claims 1-12 have been fully considered and are persuasive. The rejection of claims 1-12 has been withdrawn.
2. Addition of new claims 21, 22 is acknowledged.
3. Cancellation of claim 18 is acknowledged.
4. A Translated copy of the Japanese reference (Fujisawa, JP Patent # 410224594 A) is being provided.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over an admitted prior art by the applicant in view of Swartz (US Patent # 6,308,892).

[Claim 13]

Applicant's admitted prior art teaches the following:

An instant printer comprising a loading chamber for loading a plurality of instant films that include a processing fluid (page 3 lines 3-5), a printing head for projecting printing light onto a photosensitive surface of the loaded instant film on the basis of image data, a scanning mechanism for moving the printing head along the photosensitive surface of the instant film, a pair of spread rollers for spreading the processing fluid over the exposed instant film, and a body for containing the above elements (page 2 lines 2-10).

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Applicant prior art fails to teach a light-shielding housing that covers up at least a moving range of the printing head in a light-tight fashion is provided inside the body. However this limitation is well known in the art as evidenced by Swartz. Swartz teaches a light-shielding housing (figure 14: 182) that covers up at least a moving range of the printing head in a light-tight fashion is provided inside the body (figure 14: 14')(col. 20 lines 24-45 figure 14)[The print head 10' is used as a scanning mechanism which is covered by the light protective cover 182 and is provided inside the body 14']. Therefore taking the combined teachings of an admitted prior art and Swartz as a whole, it would have been obvious to have a light-shielding housing that covers up at least a moving range of the printing head in a light-tight fashion which is provided inside the body. Doing so would be advantageous because it is no longer necessary to have a separate window 186 mounted on the head with glue, as done in prior art heads. The uncovered window 186 serves as the window for both incoming and outgoing light as taught in Swartz (col. 20 lines 46-49 figure 14).

[Claim 14]

An instant printer according to claim 13, wherein the light-shielding housing covers up the scanning mechanism besides the moving range of the printing head (Swartz, col. 20 lines 20-45 figure 14)[The print head 10' is used as a scanning mechanism which is covered by the light protective cover 182].

[Claim 15]

An instant printer according to claim 13, wherein the light-shielding housing is formed integrally with the loading chamber (Swartz, Figure 14 discloses that the light shielding cover 184 is formed integrally with the print head).

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[Claim 16]

Grounds for rejecting claim 13 apply entirely to claim 16.

7. Claims 17,19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over an admitted prior art by the applicant in view of Shintani (US Patent # 5,875,034) and further in view of Ogawa (US PG-PUB # 2002/0080250).

[Claim 17]

Applicant's admitted prior art teaches the following:

An electronic still camera comprising an imaging device for photographing a subject (Page 1 lines 16-18), an exposure device for exposing an instant film that includes a processing fluid on the basis of image data of the subject photographed through the imaging device (Page 1 lines 20-23), and a pair of spread rollers for ejecting the exposed instant film out of a camera body while spreading the processing fluid over the exposed instant film (Page 2 lines 2-10). ~~the electronic still camera being characterized by comprising:~~

Applicant's admitted prior art fails to teach a device for removably connecting an external memory to the electronic still camera, a device for compressing image data of a subject photographed through the imaging device and writing it on the connected external memory, and a device for expanding compressed image data that is read out from the external memory, wherein the exposure device may be driven based on the image data read out from the external memory. However these limitations are well known in the art as evidenced by Shintani. Shintani teaches a device for removably connecting an external memory to the electronic still camera (Shintani, col. 8 lines 1-2 figure 1:112), a device for compressing image data of a subject photographed through the imaging device and writing it on the connected external memory, and

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a device for expanding compressed image data that is read out from the external memory, wherein the exposure device may be driven based on the image data read out from the external memory (Shintani, col. 10 lines 52-59). Therefore taking the combined teachings of an admitted prior art and Shintani as a whole, it would have been obvious to have a device for connecting an external memory to the instant printer, and a device for reading out image data stored in the external memory, wherein the exposure device may be driven based on the image data read out from the external memory. Doing so would allow the image data written into the external memory card during an exposure operation to be printed by the instant printer.

An admitted prior art by the applicant in view of Shintani fail to teach an electronic still camera comprising a device for synthesizing image data read out from the external memory with image data photographed through the imaging device, and a device for displaying a composite picture based on the synthesized image data, wherein the composite picture may be printed by driving the exposure device based on the synthesized image data. However these limitations are well known in the art as evidenced by Ogawa et al. (Paragraphs 100-104). Therefore taking the combined teachings of an admitted prior art, Shintani and Ogawa as a whole, it would have been obvious to have an electronic still camera comprising a device for synthesizing image data read out from the external memory with image data photographed through the imaging device, and a device for displaying a composite picture based on the synthesized image data, wherein the composite picture may be printed by driving the exposure device based on the synthesized image data. Doing so would allow an external or internal printer to print an image based on the video image data with the decorative information as taught in Ogawa (paragraph 7).

[Claim 19]

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Ogawa teaches "... wherein the external memory previously stores decorative image data that may be synthesized with the subject image data"(Paragraph 104, figure 18).

[Claim 20]

Shintani teaches "... wherein the external memory is a memory card that is removably attachable to the camera body" (Col. 8 lines 1-2 figure 1:112).

Conclusion

Allowable Subject Matter

8. Claims 1-12, 21, 22 are allowed.

9. The following is a statement of reasons for the indication of allowable subject matter:

a) As for claim 1, the prior art does not fairly teach or suggest an exposure device comprises a printing head for projecting the printing light linearly along a main scan direction and a scanning mechanism for moving the printing head relative to the instant film in a sub scan direction perpendicular to the main scan direction wherein an illumination range of the printing light by the printing head is longer in the main scan direction than a length in the main scan direction of the exposure area, whereas a sub scanning range by the scanning mechanism is longer than a length in the sub scan direction of the exposure area

b) Claim 12 is a method claim corresponding to apparatus claim 1.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K Aggarwal whose telephone number is (703) 305-0346. The examiner can normally be reached on M-F 9:00AM-5:30PM.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary examiner, Ngoc Yen Vu can be reached on (703) 305-4946. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YKA
June 3, 2004



NGOC-YEN VU
PRIMARY EXAMINER